

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>IN RE:</b>  <b>WC 4TH AND COLORADO, LP,<sup>1</sup></b>  <b>DEBTOR.</b>	§ § § § § § §	<b>CHAPTER 11</b>  <b>CASE NO. 20-10881-TMD</b>
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**COLORADO THIRD STREET, LLC’S RESPONSE TO DEBTOR’S  
EMERGENCY MOTION FOR ORDER MODIFYING THE DESIGNATION  
OF PRODUCED DOCUMENTS AND TO  
COMPEL LENDER TO DISCLOSE IDENTITY AND AFFILIATIONS**

Colorado Third Street, LLC (“Lender”), as lender to the above-captioned debtor (the “Debtor”) files this *Response to Debtor’s Emergency Motion for Order Modifying the Designation of Produced Documents and to Compel Lender to Disclose Identity and Affiliations* [Dkt. 76] (the “Motion”), as follows:

On October 9, 2020, the Court held a hearing on Debtor’s Motion and ordered Lender to file a written response to the Motion by today’s date, October 16, 2020. Lender files this Response to update the Court on its position in response to Debtor’s Motion.

Although Lender’s position remains that the beneficial ownership identities of a Texas limited liability company are private and not typically required to be disclosed in bankruptcy when the LLC is a creditor (as opposed to the Debtor), in order to resolve this issue, Lender has de-designated the previously designated “Attorneys’ Eyes Only” information as “Confidential” under the Protective Order in place in this case.

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<sup>1</sup> The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: WC 4th and Colorado, LP (1759).

Additionally, Lender's counsel has discussed with Debtor's counsel the request for additional identity-related documentation. Lender previously produced its LLC agreement and the company agreement of its corporate member, but Lender is investigating whether additional documentation exists evidencing the beneficial owners' interests in those entities. Lender's counsel will report back to Debtor's counsel next week. Lender believes the issue will be resolved, but Debtor is not waiving its right to request additional documentation at any time. Lender will confer with Debtor regarding any other concerns about Lender's document production.

### **CONCLUSION**

WHEREFORE, Lender trusts that the foregoing resolves the complaints raised in Debtor's Motion, making that Motion moot. Lender further requests all further relief as the Court deems just and proper.

Respectfully submitted,

### **BRACEWELL LLP**

By: /s/ Christopher L. Dodson

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*Counsel for Colorado Third Street, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served (i) electronically on the parties registered to receive notice through the court's ECF noticing system on October 16, 2020; and (ii) via electronic mail where available, otherwise by regular U.S. mail, postage prepaid, on the parties listed on the attached Master Service List on October 16, 2020.

/s/ Christopher L. Dodson

Christopher L. Dodson

**MASTER SERVICE LIST****In re: WC 4<sup>th</sup> and Colorado, LP**

<b>DEBTOR</b>	
WC 4th and Colorado, LP 814 Lavaca St. Austin, TX 78701	
<b>DEBTOR'S PROFESSIONALS</b>	
Fishman Jackson Ronquillo PLLC Mark H. Ralston 13155 Noel Road Suite 700 Dallas, TX 75240	Brian Elliott 814 Lavaca Street Austin, TX 78701
<b>UNITED STATES TRUSTEE</b>	
Office of the United States Trustee 903 San Jacinto Blvd., Suite 230 Austin, TX 78701	
<b>GOVERNMENTAL ENTITIES</b>	
Internal Revenue Service Centralized Insolvency Office P. O. Box 7346 Philadelphia, PA 19101-7346	
<b>HOLDERS OF EQUITY INTERESTS IN DEBTORS</b>	
Sangreal Investments, LLC c/o Andy Geller, Western Peak Investment Advisors 3502 Sacred Moon Cove Austin, TX 78746	Independence Holdings I, LLC 3909 Balcones Dr Austin, TX 78731
<b>SECURED CREDITORS</b>	
Colorado Third Street, LLC Attn: Jason G. Cohen William A. Wood III Christopher L. Dodson 500 W 2nd Street, Suite 1900 Austin, Texas 78701	
<b>TOP 20 UNSECURED CREDITORS</b>	
Kone Elevators PO Box 894156 Los Angeles, CA 90189-4156	Facility Solutions Group, Inc. PO Box 896808 Charlotte, NC 28289-6508
KONE, Inc. 5101 E St. Elmo #315 Austin, TX 78744	ABC Home and Commercial Services 9475 E Highway 290 Austin, TX 78724-2303
Heads up Cleaning Services	Arnold & Placek, P.C.

PO Box 293 Lockhart, TX 78644	203 E. Main Street, Suite 201 Round Rock, TX 78664
Will's All Pro Plumbing and Air 7847 Fortune Drive San Antonio, TX 78250	LPZ Electric LLC 1533 N Interstate 35, Suite #6 Pflugerville, TX 78660
Clarke Kent Plumbing, Inc 1408 W. Ben White Blvd. Austin, TX 78704	Beckett Electrical Services, LLC PO Box 81381 Austin, TX 78708
Vanguard Fire Systems, LP 2340 Patterson Industrial Dr Pflugerville, TX 78660	The Lost Lei/DW Hospitality, LLC 2918 Bellamy Circle Cedar Park, TX 78613
Inoca Holdco II LLC FCS Fox Commercial Services, LLC PO Box 19047 Austin, TX 78760	JAC Entertainment, LLC 8114 B Baywood Austin, TX 78759